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August 07, 2003

RECEIVED

Dear Ms. Marlene S. Dortch:

AUG 18 2003

Federal Communications Commission
Office of the Secretary

RE: CG Docket No. 02-278

As member of the CCIM Institute (Certified Commercial Investment Member), an affiliate of the National Association of REALTORS® (NAR), I am writing to convey my wholehearted support for NAR's Request for Emergency Stay of Facsimile Advertisement Rules in the above referenced docket. The FCC's unexpected decision to remove the "established business relationship" exception from the unsolicited fax advertisements rules severely interferes with my day-to-day business as a commercial real estate professional. Furthermore, the rules hinder the types of communication that my national organization, CCIM Institute, and local CCIM Chapters routinely send via facsimile, including information on conventions or continuing education classes, which is a benefit that I expect as a dues paying member.

NAR in its Request for Emergency Stay of Facsimile Advertisement Rules outlined the detrimental impact that these rules will have on its over 900,000 members and on the operations of over 3.5 million professionals in the real estate industry. In addition, please consider the 7,500 CCIMs, part of the 125,000 commercial real estate representatives nationwide, who complete over 156,000 transactions annually, representing more than \$400 billion in the economy.

I echo NAR's position and emphasize that it will be extremely difficult to obtain the required written consent to send faxes to my customers, vendors and commercial real estate colleagues in the timeframe set by the FCC. It will also be difficult for my local Chapter and CCIM Institute to seek and obtain written consent from their respective membership in less than thirty days, in order to prevent an interruption in their ability to fax important information about upcoming conferences, promotions and other events. As a CCIM and REALTOR® member, I rely on this timely and effective means of communication. It is unreasonable to think that an association can seek and obtain consent from even 7,500 members let alone the 1 million members NAR must contact by August 25, 2003.

Today, the many thousands of transactions in U.S. commercial real estate require communication via facsimiles to ensure a timely and successful transaction. An effective date of August 25, 2003 could potentially delay many of these transactions. To secure the appropriate written consent will significantly impact property owners' and investors' ability to move promptly in a competitive commercial real estate markets. It will take time to adapt to this new requirement

and businesses will have to amend current practices to gain this new consent from consumers and vendors.

It is in this regard that I urge the FCC to stay the effective date of the unanticipated and unprecedented fax rules for one year so that the required written consent form can be incorporated into the annual dues billing cycle. This is the most effective method for providing express written consent to CCIM Institute, NAR and my local CCIM Chapters. The stay is also essential in order to institute the required compliance procedures for fax communications with my clients and other businesses to ensure minimal disruptions in commercial real estate transactions.

Thank you for your consideration and time regarding this matter.

Sincerely

Elsa M. Ray - N
Elsa M. Ramirez - Nigro